

ORIGINAL

AO 93 (Rev. 5/85) Search Warrant

FILED

United States District Court

MAR 14 PM 2:36

ORDERED SEALED BY COURT

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

In the Matter of the Search of
(Name, address or brief description of the person or property to be searched))

unsealed 4/17/08

3167 Polk Avenue
San Diego, CA

SEARCH WARRANT

CASE NUMBER:

'08 MJ 0691

TO: Any Special Agent of the Drug Enforcement Administration and any Authorized Officer of the United StatesAffidavit(s) having been made before me by Special Agent Brett O'Connor who has reason to
Affiantbelieve that ☐ on the person of or ☒ on the premises know as (name, description and/or location)

See Attachment A.

in the SOUTHERN District of CALIFORNIA there is now
concealed a certain person or property, namely (describe the person or property)

See Attachment B - which constitutes (1) evidence of offenses under 21 USC 841(a)(1), and 846, 18 U.S.C. 1956, and 922(g), (2) contraband, fruits of a crime, or other items illegally possessed, and/or (3) property designed for use, intended for use, or used in committing crimes.

I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before 3/5/08

Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search (in the daytime--6:00 A.M. to 10:00 P.M.) ~~(at any time in the day or night as I find reasonable cause has been established)~~, and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to Hon. Cathy Ann Bencivengo, U.S. Magistrate Judge
U.S. Judge of Magistrate
as required by law.March 5, 2008 at 3:45 ~~am~~ p.m.at San Diego, California

Date and Time Issued

City and State

Cathy A. Bencivengo, U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

ATTACHMENT A**DESCRIPTION OF PROPERTY TO BE SEARCHED**

The target premises located at 3167 Polk Avenue, San Diego, California is a single story, single family residence located on the south side of Polk Avenue. 3167 Polk Avenue has white siding with dark colored trim and a red colored front door. The numerals "3167" are visible on the dark colored trim to the right of the front door to the residence. A photograph of the target premises is shown below.

The search shall include all rooms, attics, crawl spaces, safes, briefcases, storage areas, containers, garages, sheds, carports, storage facilities and containers such as safes, vaults, file cabinets, drawers, luggage, briefcases, valises, boxes, jewelry boxes, cans, bags, purses, trash cans and vehicles located on or near the premises, that are owned or under the control of the occupants of such premises, evidenced by prior surveillance, possession of keys, maintenance paper work, title, insurance papers, or registration for such vehicles in the name of the occupants including: (1) a blue 2005 Cadillac sedan bearing California license plate number 5NEB989, and (2) a 1975 Chevrolet vehicle bearing California license plate number 3JGN318.



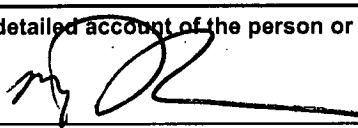

ATTACHMENT B

ITEMS TO BE SEIZED

1. Documents containing data reflecting or memorializing the ordering, possession, purchase, storage, distribution, transportation and sale of controlled substances, including buyer lists, seller lists, pay-owe sheets, records of sales, log books, drug ledgers, personal telephone/address books containing the names of purchasers and suppliers of controlled substances, electronic organizers, Rolodexes, telephone bills, telephone answering pads, bank and financial records, and storage records, such as storage locker receipts and safety deposit box rental records and key.
2. Money, assets, and evidence of assets derived from or used in the purchase of controlled substances and records thereof, including but not limited to United States currency, negotiable instruments and financial instruments including stocks and bonds, and deeds to real property, books, receipts, records, bank statements and records, business records, money drafts, money order and cashiers checks receipts, passbooks, bank checks, safes and records of safety deposit boxes and storage lockers.
3. Weapons, firearms, firearms accessories, body armor, and ammunition and documents relating to the purchase and/or possession of such items.
4. Documents and articles of personal property reflecting the identity of persons occupying, possessing, residing in, owning, frequenting or controlling the premises to be searched or property therein, including keys, rental agreements and records, property acquisition records, utility bills and receipts, photographs, answering machine tape recordings, telephone, vehicle and/or vessel records, canceled mail envelopes, correspondence, financial documents such as tax returns, bank records, safety deposit box records, canceled checks, and other records of income and expenditure, credit card records, travel documents, personal identification documents and documents relating to obtaining false identification including birth certificates, drivers license, immigration cards and other forms of identification which the same would use other names and identities other than his or her own.
5. All incoming telephone calls received at the residence during the execution of the search warrant and all calls received on cellular telephones found during the execution of the warrant.
6. Devices used to conduct counter-surveillance against law enforcement, such as radio scanners, police radios, surveillance cameras and monitors and recording devices and cameras.
7. Photographs and video and audio recordings which document an association with other coconspirators and/or which display narcotics, firearms, or money and proceeds from narcotics transactions.
8. Packages and contents that were delivered to the residence, or were about to be sent by the occupants.
9. Drug paraphernalia to include: distribution materials including scales, plastic baggies, electrical and duct tape, and other odor masking materials.
10. Police radio scanners, pagers, cellular telephones, facsimile machines, telephone answering machines, Caller ID system, and prepaid telephone cards.
11. Travel documents including itineraries, airline tickets, boarding passes, motel and hotel receipts, rental car receipts, passports and visas, credit card receipts, shipping and receiving documents relating to the delivery of packages.

- 1 12. Banking and financial institution records, bank statements, credit card statements, canceled
2 checks, money orders, deposit slips, orders for or receipt of money transfer by wire, checking
3 and saving books, financial institution statements, safe deposit boxes, loan statements, tax
4 returns, business and personal ledgers, and accounting records.
- 5 13. Records relating to the lease of storage lockers, telephone/address directories and other papers
6 containing telephone numbers and addresses.
- 7 14. Records related to the purchase of real estate, vehicles, precious metals, jewelry and other
8 tangible assets.
- 9 15. Digital storage devices including: floppy disk, CD ROMS, DVD ROMS, magnetic tapes,
10 magnet optical cartridges, personal digital assistance, pagers, money chips, thumb drives, jump
11 drives, flash drives, portable hard drives and computers containing hard drives. All electronic
12 devices, such as computers, which include the central processing units, internal and external
13 devices, internal and external storage equipment or media, terminals or video display units,
14 together with peripheral equipment, such as keyboards, printers, modems, and programmable
15 telephone dialing devices, and operating system software, program software, applications
16 software, manuals for the software and hardware, electronic organizers, or personal digital
17 assistants and computer discs and CD's, cellular telephones and SIM cards. All seized
18 computers shall be returned to the defendants or the defendant's agent within 10 calendar days.
19 If agents need more time than 10 days to complete the mirror imaging, the Government will seek
20 from the Court an extension of time within which to return the applicable devices and/or
21 equipment.
- 22 16. With respect to any and all electronically stored information in cellular phones and PDAs, agents
23 may access, record, and seize the following:
 - 24 a. telephone numbers of incoming/outgoing calls stored in the call registry;
 - 25 b. Digital, cellular, and/or telephone numbers and/or direct connect numbers,
26 names and identities stored in the directories;
 - 27 c. Any incoming/outgoing text messages relating to controlled substances offenses under
28 21 U.S.C. §§ 841(a)(1), 843(b), 846, money laundering offenses under 18 U.S.C.
§ 1956 and firearm offenses under 18 U.S.C. § 922(g);
 - d. telephone subscriber information;
 - e. the telephone numbers stored in the cellular telephone and/or PDA; and
 - f. any other electronic information in the stored memory and/or accessed by the active
electronic features of the digital or cellular phone including but not limited to
photographs, videos, e-mail, and voice mail relating to controlled substances offenses
under 21 U.S.C. §§ 841(a)(1), 843(b), 846, money laundering offenses under 18 U.S.C.
§ 1956, and firearm offenses under 18 U.S.C. § 922(g).

AO 93 (Rev. 2/90) Search Warrant

RETURN		
DATE WARRANT RECEIVED 3/5/08	DATE AND TIME WARRANT EXECUTED 3/7/08 6:00am	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH CRYSTAL HARMON, NAVAJO
INVENTORY MADE IN THE PRESENCE OF: SA ERIC DUBLE & ED HASKINS		
INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT SEE ATTACHED DEA 12.		
CERTIFICATION		
I swear that this inventory is true and detailed account of the person or property taken by me on the warrant. 		
Subscribed, sworn to, and returned before me this date.  3/11/08		
U.S. Judge or Magistrate		Date

CATHY ANN BENCIVENGO
U.S. MAGISTRATE JUDGE

U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION

RECEIPT FOR CASH OR OTHER ITEMS

TO: (Name, Title, Address (including ZIP CODE), if applicable)

Mark Alan Kountz

FILE NO.

R2-06-0146

G-DEP IDENTIFIER

N/A

FILE TITLE

DIZON, RAMON

DATE

3/6/08

DIVISION/DISTRICT OFFICE

SDFD

I hereby acknowledge receipt of the following described cash or other item(s),
which was given into my custody by the above named individual.

AMOUNT or QUANTITY	DESCRIPTION OF ITEM(S)	PURPOSE (If Applicable)
Misc.	item of dominion & control	Seized as evidence
2	scales	
1	Palm Pilot	
1	Sprint Cellular telephone	
1	notepad	
1	bound notebook	✓
4	plastic vials of Stranol	✓
	15 mgs each	
4	vials Pro Fasi (2 boxes)	✓
1	vial Jintropin	✓
1	Wa Form for Kountz	✓

RECEIVED BY (Signature)

Edmund J. Haskins

NAME AND TITLE (Print or Type)

Edmund J. Haskins, S/A

WITNESSED BY (Signature)

SA Eric N. Doble

NAME AND TITLE (Print or Type)

SA Eric N. Doble